

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-13 are pending in the application with claims 1-5 and 11-13 being withdrawn from consideration as being directed to a non-elected invention. In response to the Office Action (Paper No. 13), Applicant respectfully submits that the pending claims define patentable subject matter.

Applicant thanks the Examiner for indicating that claim 10 is allowed and claims 7 and 8 would be allowable if rewritten in independent form. However, Applicant respectfully requests the Examiner to hold in abeyance the rewriting of claims 7 and 8 until the Examiner has had the opportunity to reconsider the rejected parent claims in light of the arguments presented below in support of the Applicant's traverse of the rejection.

In the Office Action dated September 11, 2002, the Examiner acknowledged the claim for foreign priority under 35 U.S.C. § 119 and receipt of the priority documents from the International Bureau, rather than acknowledging the claim for domestic priority under 35 U.S.C. § 120. That is, the present application is a continuation application under 37 C.F.R. § 1.53(b) claiming priority benefit under 35 U.S.C. § 120 of PCT application PCT/JP99/02379 (rather than a National stage application under 35 U.S.C. § 371), as indicated on the transmittal letter filed February 20, 2001. **Accordingly, Applicant again requests that the Examiner acknowledge the claim for domestic priority under 35 U.S.C. § 120 in the next action.**

Claims 6 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue (USP 3,741,426) in view JP 2-24025. Applicant respectfully submits that the claimed invention would not have been rendered obvious in view of the combined references.

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By this Amendment, Applicant has amended independent claim 6 to improve clarity by reciting that the wire electrode “generates an electric discharge between said wire electrode and a workpiece thereby forming a surface reforming layer on a surface of said workpiece” (previously recited in the preamble). Claim 6 further recites “wherein said wire electrode is composed of a core wire made of ductile material, and a surface discharge processing material made of a surface reforming material or a raw material therefore adhered to said core wire.”

The Examiner maintains that JP 2-24025 discloses the claimed wire electrode since the reference “discloses a wire discharge processing electrode wire which is made of a core wire and has a coating of zinc.” In response to Applicant’s arguments in the Amendment filed December 11, 2002 that JP 2-24025 teaches that the core wire is formed of a metal or alloy having high tensile strength rather than a ductile material, the Examiner states that “[t]hese properties are not mutually exclusive [since a] material can be both high in tensile strength and ductile, an example being brass.” However, JP 2-24025 expressly teaches that “brass wire is insufficient in strength” such that the core wire should be made of materials having a high tensile strength (e.g., molybdenum, tungsten or steel). Thus, while brass may be ductile, it is not a material which is high in tensile strength. Further, JP 2-24025 does not teach or suggest a wire electrode composed of a core wire made of brass or other ductile material and a zinc layer provided on the outer surface of the core wire. Rather, JP 2-24025 discloses a wire electrode composed of a core wire made of a metal or alloy having high tensile strength and a zinc layer provided on the outer surface of the core wire.

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Moreover, the wire electrode of JP 2-24025 is used for fusing and removing the workpiece by discharge processing rather than “forming a surface reforming layer on the surface of said workpiece”, as required by the claims. That is, the zinc or zinc alloy layer is simply provided on the outer surface of the core wire in order to enhance the processing speed of the wire electrode such that the zinc or zinc alloy layer is not deposited on the workpiece to form a surface reforming layer on the surface of the workpiece. Thus, Applicant respectfully submits that it is quite clear that the zinc or zinc alloy layer disclosed by JP 2-24025 is not “a surface discharge processing material made of a surface reforming material or a raw material therefore adhered to said core wire”, as claimed.

Accordingly, Applicant respectfully submits that independent claim 6, as well as dependent claim 9, should be allowable over the combination of Inoue and JP 2-24025 because the cited references do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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